

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
AUSTIN DIVISION

Filed  
6/19/08  
Clerk, U. S. District Court  
Western District of Texas  
By *[Signature]*  
Deputy

UNITED STATES OF AMERICA,

Plaintiff,

v.

STEPHANIE ANN LUNA,

Defendant.

§  
§  
§  
§  
§  
§  
§  
§  
§  
§

CRIMINAL NO. A-08-CR-085 (3) LY

FACTUAL BASIS

Had this matter proceeded to trial, the United States Attorney for the Western District of Texas was prepared to prove the following facts beyond a reasonable doubt:

1. On May 16, 2007 a state search warrant was executed at 5514 Avenue F. Electricity consumption at 5514 Avenue F was very high and resulted in large electric utility bills -- consistent with a marihuana grow operation. The search warrant executed at 5514 Avenue F resulted in the seizure of forty-eight (48) suspected marijuana plants. Also discovered in the home were blowers, lights, ventilation ducts, plant food and other items associated with the cultivation of marijuana.

2. The aforementioned seized forty-eight plants were submitted by officers to the Austin Police Department's Forensic Science Services Division Laboratory and the forty-eight plants suspected to be marijuana were, in fact, found to be marijuana, a controlled substance.

3. The residence located at 5514 Avenue F was within the Western District of Texas.

4. Defendant knew the marijuana was present and growing at the residence, participated in the manufacture of the marijuana at the 5514 Avenue F location and conspired with her boyfriend, Sean Clayton Thompson to have her check on the security of the residence on a regular basis to insure that no unknown persons had interfered with the growing operation. Defendant also possessed keys to the residence, which were in her possession on May 16, 2007. In addition, Defendant admitted to officers with the Austin Police Department that she had been inside the residence the previous week and that she checked on the residence <sup>periodically</sup> ~~every day on the~~ way home from work. (605)

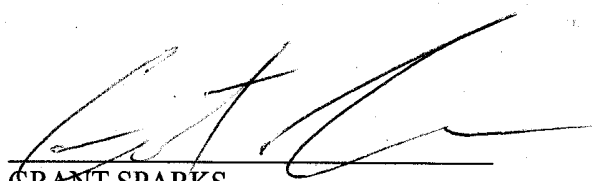
5. In addition, Defendant agreed, conspired and/or confederated with others known and unknown to the grand jury to manufacture marijuana and her offense conduct involved more than 100 plants.

6. The government was prepared to prove the foregoing by physical evidence, forensic analysis, the Defendant(s) own admissions, and testimony of persons with knowledge of the foregoing events.

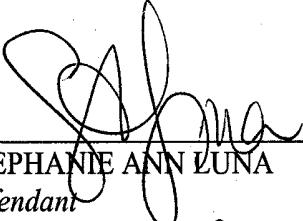
That, in summary, would be the evidence presented by the United States.

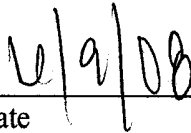
JOHNNY SUTTON  
United States Attorney


By:

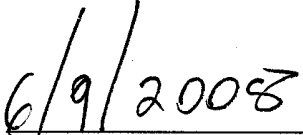
  
GRANT SPARKS  
Assistant United States Attorney  
816 Congress Avenue; Suite 1000  
Austin, Texas 78701  
(512) 916-5858  
Fax (512) 916-5854

I, STEPHANIE ANN LUNA, have carefully read and reviewed the foregoing Factual Basis in its entirety, and have discussed it with my attorney. I freely and voluntarily admit that the statements contained in the Factual Basis are true and correct and accurately describe the facts and circumstances of the offense to which I am pleading guilty. In addition, I freely and voluntarily admit that the allegations contained in the Information are true and correct and that I am guilty of those charges.

  
\_\_\_\_\_  
STEPHANIE ANN LUNA  
*Defendant*

  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
CHRISTOPHER PERRI  
*Attorney for Defendant*

  
\_\_\_\_\_  
Date